



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

BOARD OF PESTICIDES CONTROL

April 16, 2021

9:00 AM Board Meeting

Video conference hosted in MS Teams, to join the meeting:

Web link for the Microsoft Teams meeting:

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

[+1 207-209-4724](tel:+12072094724)

Phone Conference ID: 991 870 002#

AGENDA

1. Introductions of Board and Staff

2. Minutes of the March 5, 2021 Board Meeting

Presentation By: Megan Patterson, Director

Action Needed: Amend and/or approve

3. Report on Annual Funding to Maine CDC for Mosquito Monitoring

The Maine Center for Disease Control and Prevention (Maine CDC) coordinates state activities around preventing vector-borne diseases. As part of its responsibilities, the CDC coordinates mosquito and disease monitoring in Maine. The presence of mosquito-borne diseases and the species of vector mosquitoes present in Maine have been on the rise in recent years. Maine CDC and BPC entered into a Memorandum of Understanding in 2013 to establish cooperation to conduct surveillance for mosquito-borne diseases to protect public health. At the July 24, 2020 meeting Sara Robinson of the Maine CDC provided an overview of the trends and the state's monitoring program. At the July 24, 2020 meeting, the Board voted to approve funding in the amount of \$50,000 for Maine CDC's mosquito monitoring

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efforts. The Board will now review a report on work accomplished in the previous year and work projected for the current year.

Presentation By: Sara Robinson, Infectious Disease Epidemiology Program Director

Action Needed: Review work accomplished and determine if the Board wishes to fund this request

4. Updated Reporting on Pesticide Poisonings in Maine

Staff have compiled data on the patterns of pesticide poisonings in Maine. Call data were collected from both the Northern New England Poison Control (NNEPC) and the National Pesticide Information (NPIC). NNEPC and NPIC submitted two years' worth of data from Maine callers with pesticide. Staff will now discuss summaries of those data.

Presentation By: Pam Bryer, Toxicologist

Action Needed: Information only

5. Discussion of Pesticide Applications to Saturated Soils

Staff have recently received inquiries from the public concerning lawn care applications made to saturated soils and in close proximity to standing water. This is a continuation of a discussion staff began in 2005 regarding soggy lawns. At that time a committee was formed to address the issue and guidance document was developed on best management practices for pesticide applications on turf. Staff will now discuss their proposed plan of action.

Presentation By: Megan Patterson, Director

Action Needed: Determine next steps

6. Review of Board Member Terms and Appointments

At the March 5, 2021 meeting of the Board, members elected officers. Board member term limits and reappointments were discussed. The Board requested a review of term limits and plans for reappointment and new appointment at the next meeting.

Presentation By: Megan Patterson, Director

Action Needed: Information only

7. Continuation of the BPC Budget Review with a Focus on the Cost of MePERLS Support, Maintenance, Hosting, and Licensing

At the January 20, 2021 meeting, the Board was provided information about the projected cost of MePERLS. This information was presented by State of Maine Office of Information

Technology at the request of the Board. The State of Maine Office of Information Technology serves an essential role in negotiating contracts with both PegaSystems and Stratosphere and can provide a comprehensive overview of the technology and the relative costs. The Board indicated that would like to continue the discussion about the ongoing costs of MePERLS.

Presentation By: Megan Patterson, Director

Action Needed: Determine next steps

8. Other Old and New Business

- a. LD 125—An Act to Prohibit the Aerial Spraying of Glyphosate and Other Synthetic Herbicides for the Purpose of Silviculture—possible work session week of April 26, 2021
- b. LD 155—Resolve, Directing the Board of Pesticides Control to Prohibit the Use of Certain Neonicotinoids for Outdoor Residential Use—divided report March 9, 2021
- c. LD 264—An Act to Prohibit Aerial Application of Perfluoroalkyl and Polyfluoroalkyl Substances—work session not scheduled
- d. LD 316—An Act to Prohibit the Use of Chlorpyrifos—work session April 20, 2021
- e. LD 519—An Act to Protect Children from Exposure to Toxic Chemicals—voted out of committee April 8, 2021—divided report
- f. LD 524—An Act to Require Schools to Submit Pest Management Activity Logs to the Board of Pesticides Control and the Posting of Inspection Results for the Purpose of Providing Information to the Public—tabled April 8, 2021 to be scheduled with the hearing for LR 1896—An Act To Provide Maine People with Access to Information Regarding the Use of Pesticides in Maine
- g. LD 808—An Act To Clarify the Funding for the University of Maine Cooperative Extension Diagnostic and Research Laboratory—hearing not scheduled
- h. LD 1158—An Act Regarding the Application of Certain Pesticides for Nonagricultural Use—hearing scheduled April 13, 2021
- i. LD 1159—An Act To Amend the Membership Requirements of the Board of Pesticides Control—hearing scheduled April 13, 2021
- j. Spruce budworm in Maine
- k. Policy Regarding Interpretation of CMR 01-01A, Chapter 26, Section 3(B) Notification and Posting in the Context of Powered Application of General Use Antimicrobial Pesticides for Routine Cleaning
- l. Update on EPA investigation of container fluorination, pesticides, and PFAS

m. Proposed municipal ordinance—Westmanland

n. Seresto collars

o. EPA proposed cancellation of pentachlorophenol

9. Schedule of Future Meetings

June 4, July 16, August 27, and October 8, 2021 are tentative Board meeting dates. The Board will decide whether to change and/or add dates.

Adjustments and/or Additional Dates?

10. Adjourn

NOTES

- The Board Meeting Agenda and most supporting documents are posted one week before the meeting on the Board website at www.thinkfirstspraylast.org.
- Any person wishing to receive notices and agendas for meetings of the Board, Medical Advisory Committee, or Environmental Risk Advisory Committee must submit a request in writing to the Board's office. Any person with technical expertise who would like to volunteer for service on either committee is invited to submit their resume for future consideration.
- On November 16, 2007, the Board adopted the following policy for submission and distribution of comments and information when conducting routine business (product registration, variances, enforcement actions, etc.):
 - *For regular, non-rulemaking business*, the Board will accept pesticide-related letters, reports, and articles. Reports and articles must be from peer-reviewed journals. E-mail, hard copy, or fax should be sent to the Board's office or pesticides@maine.gov. In order for the Board to receive this information in time for distribution and consideration at its next meeting, all communications must be received by 8:00 AM, three days prior to the Board meeting date (e.g., if the meeting is on a Friday, the deadline would be Tuesday at 8:00 AM). Any information received after the deadline will be held over for the next meeting.
- During rulemaking, when proposing new or amending old regulations, the Board is subject to the requirements of the APA (Administrative Procedures Act), and comments must be taken according to the rules established by the Legislature.